How is Social Accountability received in countries of East Africa where corruption is the norm?

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The Author was responsible for training the field staff of a British NGO in the methodology of social accountability in 2018 in Kenya, Tanzania and Uganda. His audience were experienced grass roots workers who understood how local government worked and how the poor and marginalised interacted with it. Their feelings about what was possible in applying the principles and practices of social accountability was, however, pessimistic - principally because they did not believe the pervasive corruption in their countries would allow it to work. In all three countries the Constitution and Laws were helpful to those interested in helping the poor to have a voice in the development of the state, and in helping them to achieve their rights and entitlements, but in all three countries the voice of experienced field workers suggested that the diversion and maladministration of public services and funds were such that the suggestions of social accountability were unlikely to work to the benefit of the poor and marginalised.

This is not a black and white situation: there were enough examples of positive impact from social accountability interventions in all three countries for it to be worthwhile continuing and expanding their application. It was important, however, to recognise the real difficulties of trying to apply social accountability practices. Experienced field workers were apprehensive that they would work, based on their understanding of the pervasive corruption that blocked its application. In the development world in general social accountability is being promoted as a valuable and effective tool, but it is valuable to reflect on the difficulties it faces in countries of pervasive corruption – which are many and varied. This article can hopefully bring a healthy dose of realism to those who promote social accountability.

The statements in this article derive from the conversations between trainer and trainees in a range of formal settings in all three countries, together with a consultants' study into the opportunities for social accountability in 9 counties of Kenya[1]. The academic study and its findings were discussed in the two other countries for comparison, and the field workers there recognised that there were many commonalities with their own countries.

Understanding social accountability in theory

If we accept the concept of a social contract to explain the relationship between those governed and those governing, then we accept that citizenship in a country (often augmented by a readiness to pay taxes) entitles citizens to certain rights and entitlements – usually laid out in Constitutions and Laws . These rights and entitlements have been expanded by the readiness of countries to sign onto international conventions and agreements, and then by domesticating these international rights into their own domestic laws.

Social accountability suggests that if these rights and entitlements exist in law, then the citizens of that country should receive the services expressed in these laws, and where this

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[1]" Context Analysis of VSO Kenya's Social Accountability Programme": Institute for Policy and Governance, Kenya March 2018

is not happening, they should be able to hold the state accountable to these laws which, in effect, the state has promised to observe. Different countries, dependent on the devolution or de-concentration of their government, will offer citizens different ways of holding the government accountable at different levels, but the basic point is that the citizens, particularly the poor and marginalised, have the overriding right to hold the government accountable for what has been promised in Constitutions and Laws. Taking it to lower levels, they have the legal right to the development plans and budgets that affect what the local government does, and how it affects the citizens.

Usually this overriding right to hold the government accountable for what it has said that it will do is expressed by public participation in managing the decisions of the state on the one hand, and devolved rights for communities to manage their own affairs and further their own development, on the other.

Social accountability practice suggests that communities who are trying, at different levels, to hold government accountable for their rights and entitlements to be implemented should try (a) to identify a particular issue which is commonly felt to be important in that community, (b) aggregate their numbers so that government can see that the issue has a wide ownership (and is not important only to a few), and (c) make sure of information and objective data (so that communities can refer to the actual laws and information which is the basis of the points they wish to make, and the reality of the problems that they face).

> **from "Context Analysis in Kenya"**
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> *Those who are financially stable or rich are the ones invited to participate in the county forums and have their opinions taken seriously by the county government officials. Ordinary people understand this and will shy away from attending these forums*
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> Quote of Woman from Nandi

Social accountability in practice in a context of corruption

Citizens then try to point out to government officials when public services are not working, or not being delivered to the required and agreed standards, and ask, in different ways, for this situation to be reformed and improved. This seems a realistic, workable strategy and it is perhaps surprising for experienced field workers to be pessimistic that such ideas can be applied. When, however, the reality of pervasive corruption is taken into account, their pessimism can be better understood. This is what we mean by pervasive corruption that affects the poor and marginalised[2]:

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[2] This article reflects the demand side arguments for social accountability (i.e. arguments from the perspective of the citizen) and the difficulties involved in this. Some development practitioners promote the supply side (i.e. arguments to improve the government's involvement in social accountability). Those with whom I worked in East Africa considered the latter to be of little value for they considered that it was the government officials, for the most part, that prevented social accountability from working. I was fortunate enough, however, to visit Ethiopia, also in East Africa, where the government has managed a government promoted social accountability programme (ESAP, 1,2, and now 3) for 8 years. In discussions with field workers there the government officials were not seen as pervasively corrupt, as in East Africa, and it was commonly thought that complaints about intentional or mistaken corruption would be dealt with properly by higher authorities.

Education (local primary schools): the funds from the Ministry of Education to the school (capitation fees) are siphoned off at different levels on the journey between capital city and primary school, such that the school is short of its required funding: the school text books do not arrive in the numbers planned, being sold commercially: the teachers are often absent from their classes, seeking to earn income from other sources to augment their low school salaries: the teachers, including the head teacher, impose extra (illegal) levies on parents which they have to pay against their children's inclusion in the school: teachers often insist that students take extra (paid) lessons outside school with them.

Health (local health clinics): the drugs supplied by the Ministry of Health may not arrive in the quantities or qualities expected. They are likely to be siphoned off by nurses and doctors and sold commercially in nearby pharmacies: the nurses and doctors may be absent from their work because they are operating commercially to augment their income: the nurses may take bribes to ensure priority treatment of patients.

Local Infrastructure: officers at local government are responsible for designing, tendering, receiving bids, contracting, inspecting and signing off on schools, teachers quarters, clinics, roads, bridges, culverts, markets, and other structures, but the practices are often corrupt. In many cases the contracts are awarded to friends of relatives of local government personnel, on the basis of bids which are not scrutinised properly, the buildings are not inspected properly or are agreed to be finished against bribes, even when the construction is inadequate.

There are other services where corruption holds back social accountability:

Governance: all three countries have constitutions which allow citizens to participate in local and national government with opportunities to be present at different levels of planning, budgeting, and monitoring of government development activities, but the reality behind such opportunities are: advertisements for public participation meetings are produced late, are in media (especially newspapers) with very restricted circulation, are for meetings that take place far away from where the majority of poor and marginalised people live, require participants to read large amounts of preparatory materials that are only available in English, and only available just before the meeting.

From reports of CSOs we also hear that public participation meetings are frequently dysfunctional, containing a lot of political heckling and argumentation. One result of this is that very few ordinary citizens access and attend such meetings, not finding them to be useful, and losing trust in them as opportunities for citizens to be put their points of view. In Uganda a further point put by field workers is that, if citizens at the lowest levels have successfully put forward their suggestions for development planning, there is no certainty that these ideas will be agreed higher up the hierarchy – often what is agreed and budgeted may be very different from what was proposed. After a number of iterations citizens lose confidence in public participation and do not attend the theoretically very valuable opportunities for them to put their views forward.

Furthermore all the countries of East Africa have very large percentages of youthful populations: over 60% of Kenyans, for instance, are under 25 years. They understand poorly the governance systems of their own country (although they are taught in in primary and secondary schools as "Civic Education"), and are already disengaged, disgruntled, and effectively disenfranchised. Any other civic education that takes place is at the time of elections, and is often very heavily politicised, providing polarised information to party political supporters' groups.

Context Analysis in Kenya

Clan politics has already hindered participation in decision making processes where clans or areas that are perceived as not having voted for the governor are considered "opposition" or "rebel" zones and they are in many instances not invited to participate in the county.

Media: newspapers, community radios and social media are considered likely avenues for seeking citizen's rights and entitlements, reporting on their non-implementation, and encouraging citizens to speak up on topics they consider important. There has been, however, a serious and increasing amount of legal control of the media in all these three countries recently and informed field workers are apprehensive about what they are legally allowed to say and do, and what punishment they are liable to if they use the media in ways unacceptable to governments.

Power politics: here we are not referring to Party Politics, but administrative and cultural barriers to citizens' voices being heard.

Time and time again the field staff participants said that poor, uneducated and marginalised people would find it impossible to implement successfully what was being suggested by social accountability strategies. The reality of many poor people's lives is that (a) they do not know their rights, (b) they do not how to acquire such rights, even if they did know about them, and (c) they do not know how to complain if they find that their rights are ignored or violated.

Moreover, when faced with government executive officials, or elected government officials, they lack the clout and power to disagree with them and to counter those who oppose their ideas of seeking accountability. They are also apprehensive that any opposition from them will result in either punishment, or they will find themselves prevented from receiving the small services that they do.

One aspect of this is that many poor and uneducated people do not consider government services to be their right and entitlement, but something that is at the personal discretion of government officials, who have to be pleaded with and begged to deliver the services which they should be getting by right.[3]

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[3] Some development workers are surprised that supporters of social accountability do not promote the importance of elections, an accountability mechanism that is common and well established in all three counties. There are strong shortcomings of elections from the social accountability perspective - elections appoint parties and MPs to govern: failings (administrative or pre-active) in public service provision come from local government officials members of the executive who are not voted for. Manifestos (i.e. promises of action

In some cases the personal pressure that citizens feel whereby they must obey local authority figures and keep their opinions quiet are reinforced by cultural and traditional structures and systems. Although it is changing, women (particularly in Muslim societies) will not speak outside the opinions of their husbands, village meetings will not listen to the opinions of the women, young people's voices are not considered worth listening to in public meetings, and in particular the voices of physically and mentally disabled people are given little attention.

Responses from the citizens to suggestions of Social Accountability approaches
From Action Aid's "Using Evidence to Establish Accountability", and used in the workshops

Maladministration or Corruption

Maladministration: It is often said that poor public service delivery derives from a lack of knowledge and understanding of the complex rules and regulations that govern, for instance, education, health, agricultural extension and social welfare provisions. Not only do the intended recipients of government services not know what they should be receiving (and thus cannot accurately ask for them), but also those responsible for providing these services are ignorant of the rules and regulations, and provide confusing, inconsistent, and unfair services which have important impact on very poor citizens. A further aspect of

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if elected) are often buried in personality or ethnic competitions, and people are often paid to vote in a particular way irrespective of manifestos

maladministration is government officials who do not seek to meet their constituents, and hear of their concerns. Their lack of interest, in turn, discourages their constituents from interacting with them – please see remarks from Twaweza.[4]

Corruption: it was, however, the strong opinion of the experienced field workers that a failure to deliver the rights and entitlements of the citizens, was based on attitude, delivered through conscious and pro-active corruption. Corrupt government officials sought to augment their income by holding back free services from the poor and turning them into cash for themselves. Teachers and headmasters who invented illegal levies for students and their parents to pay, were pocketing the money: nurses and doctors who sold free drugs from the government in nearby commercial pharmacies were also pocketing the money, contractors who paid backhanders to win bids for local construction were paying themselves and local government employees extra income taken from government budgets meant for local development projects.

> **Lack of Contact with leaders**
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> Tanzanians have limited interaction with their representatives and other political actors. In the past year (2014) a little over half (53%) had not spoken to the village or mtaa (urban hamlet) chairperson and 90% had not spoken to their MP.
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> **Twaweza's Sauti ya Wananchi in Tanzania**

Few fieldworker participants in social accountability classes are surprised when the discussions open up into the subject of corruption at local government levels. They know it takes place, they know it is common, in fact they know it is the norm, but they are frustrated to know what they can do about it, and do not believe that the ideas of social accountability will be effective in doing anything.

A certain number of fieldworkers in fact question the value of trying to reverse what they consider as something well established and, actually, inconsequential in the management of local government. From time to time we had the contribution to the discussion that "salaries of teachers or nurses (or policeman) are very low and it is to be expected that they need to augment them by "kitu kidogo" (Swahili literally meaning "a little thing" and the accepted phrase to mean bribe or corrupt payment)". Others strongly pointed out that the income of farmers and cattlemen, faced with drought and epidemics is worse than government officials and they should certainly not have to pay illegal fees (even if it is "only a little")

The discussions in the workshop made a difference between low level corruption that is part of the provision of services at local government level and the astonishing high level national corruption scandals that are so common (and reported every day in the national

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[4] Twaweza – Sauti za Wananchi (Swahili: Yes we can – Voice of the people)is an independent public opinion polling organisation originally started in Tanzania, but now represented in Kenya and Uganda which, every two months conducts a country wide mobile phone panel survey on topics of current interest. Information on their overall methodology is available at www.twaweza.org/sauti

newspapers of these countries). Participants were aware of the national scandals, but their everyday concerns were the effect of local corruption on local people.

A lot of the high level corruption occurs through manipulation of tenders and bids of very large contracts, often involving a huge loss to the exchequer of the country, but it is difficult to pinpoint those who suffer from them, unless it is a general reduction in government services e.g. fewer drugs in government hospitals, or less fertiliser in government agricultural programmes. At the local level, however, the lack of penicillin in a local clinic, because government supplies have been sold on the open market, may mean the death of a local child. The impact of local corruption is much more immediate.

What can social accountability do, even in pervasive corruption?

The sessions on social accountability quickly declined into pessimism and feelings that the theory and practice of social accountability could not work in situations of endemic corruption. As the training went on, however, participants started to see where elements of it could be effective – and these were not necessarily the ways in which the policies and practices of social accountability have been taught to date. The following suggestions come from the experience of 2018 – both what to do, how to do it, and who with:

> **Context Analysis Discussions in Uganda**
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> *There are legal opportunities for primary actors to attend forums where they have a chance to raise their voice about something that concerns them. If no-one takes the opportunity of doing so, such opportunities are forgotten, and are unlikely to be promoted by government officials who fear that they might get exposed at such times.*

1. <u>What is the hot topic?</u>

To get a serious reform or a major change in practice, it was accepted by the field workers that there needs to be a substantial number of people who have all prioritised the same issue, and who have a concerted and disciplined approach to trying to get a resolution of the issue that is important to them. It was generally recognised that an individual, or a small group of people, are likely to be intimidated by government officials to the extent that they will give up their cause, whereas, if government officials appreciate that there are hundreds of people who have the same strongly felt perspective, it is likely that they will listen to them, and, where possible, seek to accommodate them.

We are not talking here about a formal demonstration putting hundreds of people on the streets, which, depending on the laws and the behaviour of police in a particular place, may require a different strategy, but simply letting it be known that there are hundreds of people who feel strongly about a particular topic – like, for instance, teacher absenteeism. The field workers and CSO staff need to do their mobilisation work amongst those potentially sympathetic to a particular cause, and this is likely to reach the eyes and ears of government officials. It is important that there is cohesion and consensus about the topic chosen for social accountability action: a community divided between different issues, and possibly split between different party loyalties, is unlikely to achieve their aims.

A further point is that communities of poor people often consider that certain services (e.g. electricity) to be beyond their ability to influence. Social accountability discussions can and should empower people to think more widely about what they can affect.

2. What information do you need to have?

This breaks down into two – what information do you need to have based on the existing constitution, laws and regulations: and what information do you need to collect to prove to government officials what is actually happening.
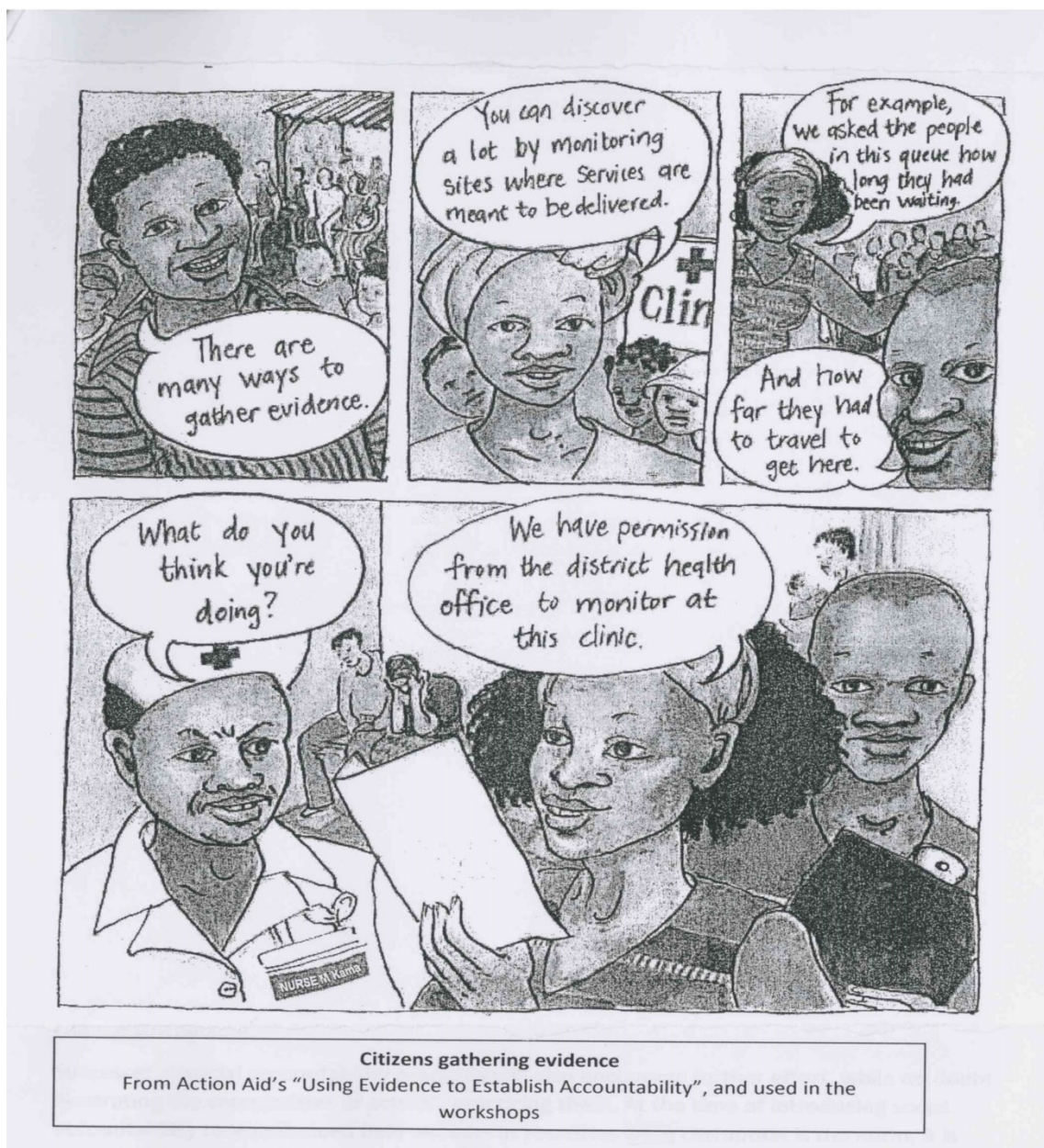
Very frequently constitutions, laws and regulations (on the rights of disabled people, for instance) are not easily available, or , where they are available, are not easily understood by local poor and marginalised people – because they are in English, and in intellectual, academic and legal language. Field workers appreciated the value of making popular versions of important documents on citizen's rights available and well disseminated, even to the extent of organising classes to understand them. Such documents, in themselves, can be a spur to action as citizens see the gap between what their rights are and what is actually happening in their lives.

Complementing government regulations and statistics is information on what is actually happening – with this information collected by the citizens. While the Ministry of Education may say that the limit for the number of students in a class is 35, for instance, parents can count attendance, and show them that the reality is closer to 75. Parents or CSO staff can also easily count the number of teachers in a school at any one time, and how long they are there for – to prove actual teacher attendance figures. This is people's data gathering – sometimes easily done, at other times likely to provoke a reaction. Citizens can ask to count staff or drugs in a clinic at any one time (see illustration), or can ask people exiting a land registration office how much they paid, and compare that with the official price. All such information gathered by the people is pertinent when a community decides it is going to try for a reform of the present situation. Community groups can try to get permission from higher officials to visit and "count" what is actually happening (again see illustration).

3. Does the government have any understanding of the level of people's satisfaction?

Government officials who are newly come into a government position, or who have been in a government position for a long time, may believe their own government information or department's propaganda, be ignorant what is actually going on, and what is the level of satisfaction of the citizens with the services of their unit. This is particularly true when citizens feel that complaining is a potentially dangerous act. They may, if they complain, be prevented from getting even the poor services about which they are complaining. A regular complaint, for instance, that often came up in conversation, was the rude and inconsiderate behaviour of nurses in clinics. It would take a brave person to complain about this directly to a nurse since it might result in a nurse refusing to serve him/her thereafter. When a context is set up so that nurses appreciate that many people feel like this, and they all want to improve the situation, then there is the possibility of a more constructive conversation.

In all the situations mentioned above there is the inherent assumption on the part of the citizens and the CSOs who work with them, that attitudes and practices which harm the citizens can be opposed, and, if managed judiciously, and can be reformed or abolished. The problem is not just learning how to do this effectively[5], but knowing how to direct your concerns, and in particular to whom.

Citizens gathering evidence
From Action Aid's "Using Evidence to Establish Accountability", and used in the workshops

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[5] There are a number of "tools" that those concerned with social accountability have learnt to practice – such as Community Score cards, Citizen's Report Cards, Community Notice Boards, Social or Public Audits, Public Expenditure Tracking, and Public hearings with government officials. All guidebooks on social accountability will explain and teach such tools. A problem is that attention to the tool sometimes takes away from the fundamental issues of having a community with consensus on their strongly felt issues, having data that they have collected and are willing to show to others, knowing their rights and entitlements, and knowing what has been done to prevent their rights and entitlements from being implemented.

One regular problem mentioned is never finding the government official that you need to meet in his/her office – something important when citizens have travelled long distances to the administrative capital - and thus never having the opportunity to have what it is hoped will be a constructive conversation.

A further problem is if the citizen's complaints are met with a stone wall – government officials refuse to deliver important government information, simply refuse or rebut citizen's complaints, or threaten those complaining with some form of sanction. For all the well thought out techniques and strategies of social accountability, the field workers felt it quite likely that a constructive conversation was unlikely with those whose income was supplemented by corruption occasioned by denial or rights and entitlements of the citizens. Citizens had to think of strategies which involved complaining to the government officials' supervisors, or using media to shame individual government officials, or some form of public denunciation – all of which had potential danger. Sometimes, especially with police, it was suggested that complaining up the chain of command was useless since the supervisors were taking a cut of the bribes exacted by the lower level officials, and therefore had an interest in the system continuing without interruption.

Ethics and integrity with reference to corruption

When these topics were raised there was great frustration amongst the field workers I was teaching. While they were enthusiastic that citizens in general and government officials in particular took an ethical stance about citizens' rights and entitlements (particularly those which dealt with the situation of the poor and marginalised) they realised that this was unlikely. They referred to the pervasiveness of corruption in society at large, and, in general the support and approbation that was given to those who were successful in their use of corruption. People were considered stupid if they did not take advantage of the opportunities offered for corruption, and where it was pointed out that corruption caused harm and misery to people, then the response was individual charity, rather than a radical change to the harm making processes.

Others pointed out the very low salaries that government officials received, and how they could not operate without an extra income from corrupt practices, but political activism to improve salaries was not considered a workable alternative to the continuation of corruption. Many talked of children being introduced to corrupt practices at school when their parents gave them different kinds of bribes to give to their teachers, without comment that this was wrong and potentially harmful to others.

Social accountability is not a process for sprinters – it is more for marathon runners. It will take time for those using its ideas to go through the steps of building consensus in communities, of gathering objective and demonstrable evidence of rights and entitlements which are ignored or broken, of finding weak points in the behaviour of those who are harming the poor, and time to strategise how to cause positive change, and to try and make such change sustainable.

Successes in social accountability practices will also encourage further effort, while no doubt illustrating the complexities of actually practicing them. At the time of introducing social

accountability to experienced field workers in countries were corruption is the norm, it is not surprising that such ideas are seen as well-meaning fantasies, unlikely to be possible in the real world in which they live. Understanding just how pervasive is corruption, how deeply accepted it is in social behaviour, and how radical a change is required to reform it, is a sobering situation for community field workers and CSOs.

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